

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

STATUS REPORT
October 13, 2005

SWARTWOOD, C.M.J.

The following is a Status Report to O'Toole, J. to whom this case is assigned:

1. Discovery

The Government has completed its obligation for automatic discovery. Mr. Neff and his counsel have had an opportunity to review the discovery produced by the Government. However, Mr. Neff's counsel has requested additional time to investigate facts involving Mr. Neff's mental state which may be relevant to a determination as to whether or not this case will be resolved without a trial. I have granted that request.

2. Further Status Conference

A further status conference shall be held in this case on

December 14, 2005, at 2:15 p.m., in Courtroom 1, Fifth Floor, Donohue Federal Building, 595 Main Street, Worcester, Massachusetts.

3. Excludable Time

At the request of the Government, I am excluding from the Speedy Trial Act, the period from October 12, 2005 (date of expiration of prior order of excludable time) through December 14, 2005 (date by which Mr. Neff's counsel will have completed his investigation of this case). Therefore, assuming no further order of excludable time under the plan for prompt disposition of criminal cases, this case must be tried on or before Wednesday, February 22, 2006.

/s/Charles B. Swartwood, III
CHARLES B. SWARTWOOD, III
CHIEF MAGISTRATE JUDGE